

In The United States Court of Federal Claims

No. 07-680C

(Filed: March 7, 2011)

5860 CHICAGO RIDGE, LLC.,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

On December 23, 2010, plaintiff filed a motion *in limine* to exclude the reports and testimony of defendant's experts, Niklas W. Vigener, Kenneth R. McLauchlan, and part of defendant's expert Lorena Redding's report and testimony. On that same day, defendant filed a motion *in limine* to exclude the report and testimony of plaintiff's expert Gary K. DeClark. Accordingly:

1. Plaintiff's motion *in limine* is hereby **GRANTED**, in part, and **DENIED**, in part;
 - a. Plaintiff's motion to exclude Mr. Vigener's and Mr. McLauchlan's discussion of the reasonableness termination in their expert reports and testimony is hereby **GRANTED**, and its motion to exclude the remainder of their expert reports and testimony is hereby **DENIED**. The objections raised by plaintiff with respect to this evidence are relevant to the weight of the evidence, not its admissibility; and
 - b. Plaintiff's motion to exclude Ms. Redding's procurement costs expert report and testimony is hereby **DENIED**. All objections raised by plaintiff with respect to this evidence are relevant to the weight of the evidence, not its admissibility.
2. Defendant's motion *in limine* to exclude Mr. DeClark's expert report, appendix, and testimony is hereby **DENIED**. The objections raised by defendant with respect to this evidence are relevant to the weight of the evidence, not its admissibility; and

3. The court will elaborate on its rationale for its decision during the March 15, 2011, pre-trial conference.

IT IS SO ORDERED.

s/Francis M. Allegra

Francis M. Allegra

Judge